

Article - Public Utilities

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§8–204.

(a) This section does not apply to:

(1) a unit of federal, State, or local government that uses an automated dialing prerecorded message machine for emergency purposes; or

(2) a person who has a preexisting business relationship with, or the consent of, the person called.

(b) A person may not use an automated dialing, push-button, or tone-activated address signaling system with a prerecorded message to:

(1) solicit persons to purchase, lease, or rent goods or services;

(2) offer a gift or prize;

(3) conduct a poll; or

(4) request survey information if the results will be used directly to solicit persons to purchase, lease, or rent goods or services.

(c) The sender of an automated dialing, push-button, or tone-activated address signaling call shall disconnect the prerecorded message machine from the recipient's telephone line within 5 seconds after the termination of the call by either the person calling or the person called.

(d) A person who violates a provision of subsection (b) or (c) of this section is guilty of a misdemeanor and on conviction is subject to a fine:

(1) not exceeding \$1,000 for the first offense; and

(2) not exceeding \$5,000 for each subsequent offense.

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